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Date December 29, 2003

To Examiner Elizabeth A. McChesney

Of PTO Group Art Unit 2644

Fax 703-872-9306

From Grant K. Rowan (Reg. No. 41,278)

Subject Response Under 37 C.F.R. § 1.116

Our Ref Q67179 Appln No 09/986,695

Conf No 5833 Inventors Hideo YAMAMOTO, et al.

Pages 11 (including cover sheet)

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This fax filing includes:

1. This cover sheet
2. A Response Under 37 C.F.R. § 1.116
3. A Petition for Extension of Time for One Month

#### CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Elizabeth A. McChesney at the Patent and Trademark Office on December 29, 2003, at 703-872-9306.

Respectfully submitted,

  
Grant K. Rowan

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#10  
B.D.RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 2644  
PATENT APPLICATION

1-7-04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67179

Hideo YAMAMOTO, et al.

Appln. No.: 09/986,695

Group Art Unit: 2644

Confirmation No.: 5833

Examiner: Elizabeth A. McChesney

Filed: November 09, 2001

For: VOLUME CONTROLLER

## RESPONSE UNDER 37 C.F.R. § 1.116

## MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office action dated August 27, 2003, please consider the remarks as submitted herewith on the accompanying pages.

REMARKS

Claims 1-9 have been examined and have been rejected under 35 U.S.C. § 103(a).

**I. Request for withdrawal of finality of Office Action**

In the Office Action dated December 18, 2002, the Examiner rejected claim 1 under 35 U.S.C. § 103(a) over U.S.P. 5,263,188 to Sanders et al. ("Sanders") and U.S.P. 5,177,801 to

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